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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 Vaelii Clifton Taliaoa,

Case No.: 2:23-cv-00686-RFB-BNW

9 Petitioner

AMENDED ORDER

10 v.

11 BRIAN WILLIAMS¹, *et al.*,

12 Respondents.

13 Vaelii Clifton Taliaoa has submitted a *pro se* petition for a writ of habeas corpus pursuant
14 to 28 U.S.C. § 2254. (ECF Nos. 11, 12.) The Court screened the petition under Rule 4 of the Rules
15 Governing Habeas Corpus Cases Under Section 2254 and directed Taliaoa to show cause why his
16 petition should not be dismissed without prejudice as unexhausted and premature. (ECF No. 13.)
17 More than the allotted time has passed, and Taliaoa has failed to respond to the Court's order in
18 any way.² The Court advised Taliaoa that failure to respond would result in the dismissal of the
19 petition. The Court accordingly dismisses the petition without prejudice. Taliaoa's motions for
20 counsel, to supplement, and for production of documents are moot.

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22 ¹ A prior version of this order misrepresented Respondent Brian Williams as Brian Taliaoa.

23 ² The Court takes judicial notice of the Nevada appellate courts' website, which reflects that Taliaoa's direct appeal is currently being briefed before the Nevada Court of Appeals. See Taliaoa's Appellate Case Profile, NEV. APP. CTS., <https://caseinfo.nvsupremecourt.us> (navigate to "Case Search" and search for Case No. 86294).

1 **IT IS THEREFORE ORDERED** that the Petition is **DISMISSED** without prejudice.

2 **IT IS FURTHER ORDERED** that Petitioner's motion for appointment of counsel,
3 motion to supplement petition, and motion to request production of documents (ECF Nos. 3, 5,
4 10) are **DENIED** as moot.

5 **IT IS FURTHER ORDERED** that a certificate of appealability will not issue.

6 **IT IS FURTHER ORDEED** that the Clerk of Court is directed to enter judgment
7 accordingly and close this case.

8 **IT IS FURTHER ORDERED** that the Clerk of Court will strike the Court's March 11,
9 2024, Order (ECF No. 15) and enter judgement pursuant to this Amended Order instead.

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11 **DATED:** 13 March 2024.

A handwritten signature in black ink, appearing to be 'RFB', written over a horizontal line.

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14 **RICHARD F. BOULWARE, II**
15 **UNITED STATES DISTRICT JUDGE**
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